

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendments to Part 4 of the Commission's	)	PS Docket No. 15-80
Rules Concerning Disruptions to	)	
Communications	)	
	)	
New Part 4 of the Commission's Rules	)	ET Docket No. 04-35
Concerning Disruptions to Communications	)	
	)	
The Proposed Extension of Part 4 of the	)	PS Docket No. 11-82
Commission's Rules Regarding Outage	)	
Reporting to Interconnected Voice Over	)	
Internet Protocol Service Providers and	)	
Broadband Internet Service Providers	)	

**REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION**

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**REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION**

Competitive Carriers Association (“CCA”) submits these reply comments in response to the *Further Notice of Proposed Rulemaking* (“*Further Notice*”) in the above-captioned proceedings, in which the Federal Communications Commission (“FCC” or “Commission”) seeks comment on, *inter alia*, vastly expanding the Part 4 outage reporting rules to cover broadband networks and services as well as outages affecting wireless radio access networks.<sup>1</sup>

**I. INTRODUCTION AND SUMMARY.**

CCA is the leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 subscribers to regional and national providers serving millions of customers. CCA also represents approximately 200 associate

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<sup>1</sup> *Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications*, Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, 31 FCC Rcd 5817 (“*Further Notice*”).

members consisting of small businesses, vendors, and suppliers that provide products and services throughout the mobile communications supply chain.

CCA supports the Commission’s overarching goal to “continue to safeguard the reliability and resiliency” of the nation’s telecommunications networks.<sup>2</sup> For CCA’s members, safety and network reliability is of the utmost importance. Mobile connections often are the most efficient way to restore telecommunications service after a disaster, “and, thus, are central to the nation’s emergency preparedness, management of crises, and essential public safety-related communications.”<sup>3</sup> In recognition of this reality, CCA’s members expend enormous resources to provide uninterrupted service to their customers – before, during, and after emergencies.

Regrettably, however, the proposals in the *Further Notice* are not aligned with the Commission’s goal to safeguard the nation’s telecommunications networks. Many of the proposals outlined in the *Further Notice* conflict with or duplicate efforts by competitive carriers to comply with current rules and to meet their consumers’ needs. Indeed, CMRS providers already are subject to the FCC’s Part 4 outage reporting rules; as a result, additional requirements under the latest proposal would force covered providers to expend valuable and limited resources to further track outages. The Commission offers no reasonable justification why CMRS providers should be required to submit multiple reports for the same incident. If adopted, therefore, CMRS providers must not be subject to broadband Internet access service (“BIAS”) reporting requirements.

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<sup>2</sup> *Further Notice* ¶ 93.

<sup>3</sup> *Id.*

Even more confounding, the Commission proposes to require wireless providers to report instances of wireless radio access network (“RAN”) overloading, even where there is no outage or call failure. Further, the Commission seeks to collect information about hard-down network outages and “significant degradations” of service. While that might seem reasonable, the FCC’s definition of “significant degradation” of service is a subjective term and counter-intuitive, further adding to the complexity of compliance. As a result, the harms of the proposals in the *Further Notice* significantly outweigh the limited benefits of additional regulatory obligations on CMRS providers.

CCA therefore joins the majority of commenters encouraging the Commission to reject the proposed rules. Alternatively, should the Commission adopt its proposals, CCA urges the Commission to limit the burdens associated with additional reporting requirements, particularly with regard to competitive carriers.

## **II. ADDITIONAL PART 4 OUTAGE REPORTING REQUIREMENTS ARE UNNECESSARY.**

Several of the proposals offered in the *Further Notice* are duplicative, overly expansive, and would fail to result in meaningful information that would benefit consumers or advance the Commission’s public safety goals. Accordingly, CCA joins the record encouraging the Commission to decline to adopt these rules.

### **a. Commenters Widely Agree That CMRS Providers Should Not Be Subject To The Proposed Outage Reporting Requirements.**

The Commission’s *Further Notice* proposes to extend the Part 4 outage reporting rules to include BIAS providers. However, as commenters like T-Mobile and CTIA explain, the Commission’s recent decision to classify mobile BIAS as CMRS renders such a rule both duplicative and unnecessary. Indeed, CMRS providers already are subject to outage reporting,

and this reporting covers both voice and data networks.<sup>4</sup> Although the *Further Notice* explains that the proposed BIAS reporting rules are being offered to “close a gap in the Commission’s network outage reporting regime,” this gap simply does not exist. Under the current outage rules, CMRS providers are required to report about these outages.<sup>5</sup> As a result, the Commission should maintain a single outage reporting regime for all providers.

Additionally, the proposed requirement that CMRS providers abide by the current outage rules, as well as potential BIAS outage rules, would impose significant burdens and costs on CMRS providers, particularly competitive carriers. For example, expansive reporting could result in multiple reports for a single outage, providing consumers and the Commission inconsistent information. CMRS providers also would be required to monitor, track, and report outages based on throughput – a radically different threshold standard than current reporting requirements – in *addition* to its current outage reporting obligations. While the FCC assumes that carriers are gathering data in the throughput metric, this often is not the case.<sup>6</sup> Indeed, the record is replete with staunch opposition to the use of throughput as a metric. Specifically,

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<sup>4</sup> See, e.g., T-Mobile USA, Inc. Comments 4-7 (filed Aug. 26, 2016) (“T-Mobile Comments”); CTIA Comments 4 (filed Aug. 26, 2016) (“CTIA Comments”). See also *Report and Order on Remand, Declaratory Ruling and Order, Protecting and Promoting the Open Internet*, 30 FCC Rcd 5601 (2015), *aff’d United States Telecom Association, et al. v. FCC*, No. 15-1063 (D.C. Cir. June 14, 2016). Petitions for rehearing are pending before the D.C. Circuit.

<sup>5</sup> T-Mobile Comments at 4; see Verizon Comments at 3 (filed Aug. 26, 2016) (“Verizon Comments”) (arguing that instead of implementing the proposed new “misdirected” approach for BIAS outage reporting, the Commission should work through existing metrics and reporting systems to collect useful and targeted data on broadband outages affecting consumers).

<sup>6</sup> *Further Notice* ¶ 137-38 (noting that “throughput is widely recognized as a key metric for measuring network performance.”).

applying throughput as a metric would “impose substantial unwarranted burdens on providers,”<sup>7</sup> including smaller providers who may be “ill-equipped to perform these tasks.”<sup>8</sup>

Further, commenters agree that a throughput metric is not realistic, and may be “technically infeasible” for CMRS providers because the threshold would vary greatly among CMRS networks.<sup>9</sup> As T-Mobile explains, “average wireless throughput speeds vary throughout the day based on consumer usage patterns and can be affected by other inputs such as the amount of licensed spectrum a carrier has in a given market and the location of the user.”<sup>10</sup> Consequently, applying a throughput metric to CMRS providers would be a significant strain on the economic resources of wireless providers, ultimately diverting these resources away from the efforts of carriers to resolve outages during an emergency. The Commission should heed calls on the record to exempt CMRS providers from additional, duplicative BIAS reporting.<sup>11</sup>

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<sup>7</sup> CTIA Comments at 2; *see also* American Cable Association Comments at 6 (filed Aug. 26, 2016) (“ACA Comments”); AT&T Services, Inc. Comments at 17 (filed Aug. 26, 2016) (“AT&T Comments”); Comcast Corporation Comments at 11 (filed Aug. 26, 2016) (“Comcast Comments”); T-Mobile Comments at 6; United States Telecom Association Comments at 6 (filed Aug. 26, 2016) (“USTelecom Comments”); Verizon Comments at 4; Wireless Internet Service Providers Association Outage Comments at 20 (filed Aug. 26, 2016) (“WISPA Outage Comments”).

<sup>8</sup> WISPA Outage Comments at iv.

<sup>9</sup> T-Mobile Comments at 5-7.

<sup>10</sup> *Id.* at 6-7.

<sup>11</sup> The Commission also should decline to require BIAS providers to serve as central reporters for all broadband network outages, including those associated with dedicated services. *Further Notice* ¶ 112. Commenters oppose this proposal for CMRS providers, as there are various types of third-party services and providers that may make up a wireless network, and oftentimes, CMRS providers have little to no control over the provision of these services or their networks. This is particularly true for small, rural and competitive carriers as they “often rely upon middle-mile, transit, and/or the backbone of several unrelated, third-party service providers – all of whom have extensive, even national, networks and none of whom a small provider is likely to be able to control or even bargain with from a position of negotiating strength such that visibility into network disruptions will be shared freely.” *See* NTCA Comments at 5.

**b. The Commission Should Not Apply “Outage” Reporting Requirements to Network Degradation.**

The Commission’s proposal to adopt reporting requirements for network degradation under the Part 4 outage rules is unprecedented, overly expansive and must similarly be rejected.<sup>12</sup> As the record overwhelmingly demonstrates, requiring reporting of network degradation would transform the outage regime into a network performance monitoring system, which is well outside the scope of the Part 4 outage rules.<sup>13</sup>

First, it would be difficult, if not impossible, for the FCC to define a specific level of performance degradation for reporting purposes, especially using the proposed throughput metric as discussed above.<sup>14</sup> Similarly, network performance monitoring is unnecessary for mobile wireless services. As repeatedly noted by the Commission, network quality is a differentiating factor for carriers,<sup>15</sup> and thus, market forces help ensure that networks perform to a high standard. If a consumer finds a carrier’s network quality to be insufficient, they can switch to another provider.

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<sup>12</sup> See *Further Notice* ¶ 133.

<sup>13</sup> Commenters unanimously encourage the FCC to reject its degradation reporting proposal. See, e.g., ACA Comments at 11-17; AT&T Comments at 17-21; CTIA Comments at 9-13; ITTA-The Voice of Mid-Size Communications Companies Comments at 9-14 (filed Aug. 26, 2016) (“ITTA Comments”); National Cable & Telecommunications Association Comments at 4-9 (filed Aug. 26, 2016) (“NCTA Comments”); NTCA-The Rural Broadband Association Comments at 4 (filed Aug. 26, 2016) (“NTCA Comments”); Verizon Comments at 5-6.

<sup>14</sup> See *supra* discussion at 4-5. Any proposed level would be “inherently arbitrary.” See CTIA Comments at 10.

<sup>15</sup> Indeed, in doing so the Commission refers to an extended list of factors that could potentially affect a network. See, e.g., *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless Including Commercial Mobile Services*, WT Docket No. 15-125, Eighteenth Report, 30 FCC Rcd 14515 ¶¶ 105, 126 (WTB 2015) (recognizing that mobile service providers “compete for customers on dimensions other than price,” including service quality, which “may vary greatly with a number of real world factors such as the service provider’s received signal quality, cell traffic loading and network capacity in different locations, as well as the capability of consumers’ devices”).



As a result, providers already have significant business incentive to promptly address network degradation problems; requiring additional metrics to be calculated and reported to the Commission would only hinder network performance by diverting resources. If the Commission were to require such reporting, it would “lead to a level of reporting whose associated burdens on providers far outstrip any counterbalancing benefits, and will lead to such a volume of reporting so as to degrade the Commission’s ability to do anything meaningful with it.”<sup>16</sup> In other words, the Commission won’t benefit from these reports, carriers will be unduly burdened, and ultimately, the consumer will suffer. The Commission must reject this proposal.

**c. The Record Confirms That The Wireless RAN Proposal Would Result in Superfluous Information And Significantly Strain Resources.**

The *Further Notice* also proposes to require reporting of overloading in the Wireless RAN based on the number of cell sites that are operating at full capacity for 75% of the time during a period of at least 30 minutes.<sup>17</sup> Under this proposal, CMRS providers would be required to submit reports to the Commission in instances where no actual outage occurred. The Commission initially sought comment on this reporting mechanism in the *2015 Part 4 Notice*, which commenters vehemently opposed.<sup>18</sup> There has been no change in circumstances since then, and no other substantive reason to warrant adopting this proposal now.

CCA therefore echoes stakeholders who argue the requirement is inappropriate, unduly burdensome, and will fail to produce information that will advance the Commission’s public

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<sup>16</sup> ITTA Comments at 14.

<sup>17</sup> *Further Notice* ¶ 178.

<sup>18</sup> *See Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications et al.*, Notice of Proposed Rulemaking, Second Report and Order, and Order on Reconsideration, 30 FCC Rcd 3206, 3211-12 ¶¶ 14-18 (2015) (“*2015 Part 4 Notice*”); *Further Notice* ¶ 174.

safety responsibilities.<sup>19</sup> CTIA explains that the proposal “would force carriers to file reports even when their networks are performing as designed, and even when cell sites are . . . fully operational.”<sup>20</sup> In this case, it is possible that carriers would be expending resources to comply with the FCC’s rules, without a discernable impact to their customers.<sup>21</sup> The Commission’s proposed method, therefore, is undeniably flawed. A requirement to report this information will not achieve the Commission’s ultimate goal to connect consumers to a network during and after a disaster.<sup>22</sup>

**d. The Commission Must Reject Ancillary Reporting Requirements for Wireless Providers.**

Several additional proposals outlined in the *Further Notice* would result in duplicative reporting at the expense of CMRS providers with limited public interest benefits. For example, the FCC proposes to require CMRS providers to file a report when a certain threshold of cell sites in a rural area experiences an outage. This requirement is unnecessary because CMRS providers will be required to report outages using the “average user” standard, which covers cell

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<sup>19</sup> See T-Mobile Comments at 7-15; AT&T Comments at 27-30; CTIA Comments at 13.

<sup>20</sup> CTIA Comments at 13-14. As noted, the FCC proposes to require reporting of “systematic wireless call failures” resulting from RAN overload to “keep abreast of major communications disruptions in the network.” See *Further Notice* ¶¶ 1-3, 173. As CTIA explains, however, the RAN proposal is not triggered by any “major” disruptions to a network, but instead requires CMRS providers to submit information about network performance during times of peak usage. CCA agrees that requiring reports when networks are operating at capacity, without an actual outage event, is beyond the scope of the Part 4 rules and this proceeding.

<sup>21</sup> As Commissioner Pai points out, wireless RAN reports could “divert[] resources that could be used to identify and repair actual outages.” Commissioner Pai Statement at 128.

<sup>22</sup> See, e.g., Letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, in PS Docket No. 15-80, ET Docket No. 04-35 (Jul. 17, 2015); Comments of Competitive Carriers Association and NTCA – The Rural Broadband Association, PS Docket No. 13-239, PS Docket No. 11-60 at 6-7 (filed Jan. 17, 2014) (“CCA-NTCA Joint Comments”).

sites in all areas.<sup>23</sup> Requiring an additional, separate regime for “rural areas” will fail to produce additional beneficial information to consumers and should not be adopted.

Second, the Commission’s proposal to include cybersecurity reporting is outside the scope of the outage system. The Commission currently receives outage information that may be attributable to cybersecurity events.<sup>24</sup> Imposing a separate, *additional* requirement for cybersecurity reporting would result in duplicative reports, as well as a false understanding of the current cybersecurity and/or outage status of a network.<sup>25</sup> Moreover, this proposal would further divert resources from attending to the actual incident and instead require focus on ensuring compliance with burdensome reporting regimes.<sup>26</sup> Due to the overwhelming costs and minimal benefits of implementing such proposals, they should be rejected by the Commission.

### **III. IF THE COMMISSION ADOPTS CERTAIN PROPOSALS IN THE *FURTHER NOTICE*, IT MUST LIMIT BURDENS ON COMPETITIVE CARRIERS.**

#### **a. The Proposals In The *Further Notice* Are Unduly Burdensome, Especially for Competitive Carriers.**

Outage rules should be narrowly tailored to cover “actual outages that impact actual consumers.” Reporting requirements should be crafted to produce “targeted and useful

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<sup>23</sup> See 47 C.F.R. §4.9(e)(2). As CTIA explains, under this new rule “rural areas will see the same reporting for the same level of outages as urban areas.” CTIA Comments at 18.

<sup>24</sup> See USTelecom Comments at 17 (recognizing that “providers are already reporting instances of network outages attributable to cybersecurity incidents” via NORS).

<sup>25</sup> In addition, the Commission already has proposed cybersecurity reporting and notification protocols in conjunction with its privacy proceeding. See *Protecting the Privacy of Customers of Broadband and Other Telecommunications Services*, WC Docket No. 16-106, Notice of Proposed Rulemaking, FCC 16-39 ¶ 168 (rel. Apr. 1, 2016).

<sup>26</sup> Indeed, as the Commission’s working group has found, requiring a reporting methodology would “prioritize compliance over an adaptable security risk-based management model that is required to address the evolving cyber threat landscape.” See CSRIC, CYBERSECURITY RISK MANAGEMENT AND BEST PRACTICES WORKING GROUP 4: FINAL REPORT, 27 (March 2015) *available at* [https://transition.fcc.gov/pshs/advisory/csric4/CSRIC\\_IV\\_WG4\\_Final\\_Report\\_031815.pdf](https://transition.fcc.gov/pshs/advisory/csric4/CSRIC_IV_WG4_Final_Report_031815.pdf).

information” with the goal of promoting public safety.<sup>27</sup> This is not the case with the proposals in the *Further Notice*, and the record highlights serious concerns among industry stakeholders. Specifically, the proposals to extend outage reporting to broadband services are overly broad and unduly burdensome.<sup>28</sup> NTCA argues that the FCC sees this opportunity “as a pretext for regulatory overreach – proposing wide-sweeping reforms that extend far beyond the straightforward task at hand.”<sup>29</sup> CCA agrees and shares concerns that the burdensome proposals of the *Further Notice* “are not tailored to identify widespread outages that prevent consumers from using services in an emergency.”<sup>30</sup> These reforms therefore threaten to stunt the flow of information and fail to benefit customers, circumventing the Commission’s goal to provide targeted information about an outage event.

Many commenters echo Commissioner Pai’s observation that the *Further Notice* will likely produce overly burdensome regulations because it fails to conduct a cost-benefit analysis that properly accounts for the burdens that these proposed rules will impose on wireless carriers, especially rural and competitive carriers.<sup>31</sup> Although the Commission asserts that its proposals

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<sup>27</sup> See Commissioner Pai Statement at 129.

<sup>28</sup> See, e.g., AT&T Comments; CTIA Comments; NTCA Comments; T-Mobile Comments; Verizon Comments.

<sup>29</sup> NTCA Comments at 2-3.

<sup>30</sup> *Id.* at i.

<sup>31</sup> AT&T Comments at 12, 32 (arguing that the *Further Notice*’s proposals fail any credible cost-benefit analysis); T-Mobile Comments at 12-15 (asserting that the proposals would violate Executive Orders and contravene Supreme Court precedent requiring agencies to engage in meaningful cost-benefit analyses before adopting such rules); Wireless Internet Service Provider Association Initial Regulatory Flexibility Analysis Comments at 2 (filed Aug. 26, 2016) (“WISPA IRFA Comments”) (calling on the Commission to adopt a supplemental Regulatory Flexibility Analysis (“RFA”) because the initial RFA “includes outdated information, unsupported estimates, and conclusory statements, suggesting the Commission has already decided to apply its proposed rules in a ‘one size fits all’ manner.”); See also Commissioner Pai Statement at 129.

“would not impose an unreasonable burden on covered broadband providers,”<sup>32</sup> its focus is on the largest providers. A “meaningful discussion of costs and benefits” and how they relate to small, rural and competitive carriers “is nowhere to be found” in the *Further Notice*.<sup>33</sup>

The Commission should reconsider whether a regulatory analysis on its proposed rules is warranted. For example, the Commission believes that “the filing of each three-stage outage report . . . requires two hours of staff time, compensated at \$80 per hour, amounting to \$160 total costs for the provider” per report.<sup>34</sup> The Commission also estimates that adoption of the proposed rules for BIAS providers would result in the filing of 1,083 reports per year, totaling \$173,280 in reporting costs per year for covered providers.<sup>35</sup> The process for filing outage reports, even before proposed expansive changes to reporting requirements, arguably takes longer than two hours of a single employee’s time. Similarly, these reports could exhaust additional resources such as personnel training, operating and maintaining an outage monitoring system, and preparing and reviewing reports in line with the Commission’s rules. Most notably, this money could and should be invested back into a carrier’s network to upgrade and improve its service, including before, during and after a disaster such as outage investigation and restoration efforts. When an outage occurs, it becomes an “all hands on deck” situation where the utmost

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<sup>32</sup> *Further Notice* ¶ 155.

<sup>33</sup> Commissioner Pai Statement at 129.

<sup>34</sup> *Further Notice* ¶ 157.

<sup>35</sup> *Id.* The *Further Notice* also estimates that under the Wireless RAN reporting proposal, “providers would need to file approximately 420 reports per year, thus increasing their annual reporting costs by \$67,200.” *Id.* ¶ 181. CCA disagrees. Requiring reporting of wireless RAN overloading (even in instances where outages do not occur) as proposed would result in more reports than estimated and significantly increase the FCC’s estimated reporting costs. CCA reiterates that many of its members do not collect the requested information under this proposal in the ordinary course of business. *See id.* ¶ 182.

priority should be restoring the outage, not preparing a report. “[T]asking even one staff member with reporting an outage may inadvertently impede restoration efforts.”<sup>36</sup>

CCA understands the Commission’s estimates may result from a “growing overlap in corporate ownership of telecommunications network and service offerings.” However, the Commission’s assumption that any transition to the proposed reporting will be an “efficient and streamlined process”<sup>37</sup> ignores the reality of many small and rural wireless carriers. Many competitive carriers are independently run often with limited resources dedicated to legal regulatory counsel or compliance specialists that may be common in larger, corporate companies. As a result, CCA’s members must prioritize their resources to ensure consumer readiness and network performance. This is an area where CMRS providers simply cannot afford to make mistakes.<sup>38</sup>

**b. The Commission Must Limit Compliance Requirements that Threaten to Drain Competitive Carriers’ Resources.**

As Commissioner Pai states, and as noted in the record, the *Further Notice* “[gives] virtually no consideration [] to the thousands of small and mid-size providers” that will be affected by the rules.<sup>39</sup> As CCA has advocated in the past, the need for new rules surrounding

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<sup>36</sup> NTCA Comments at 7.

<sup>37</sup> *Further Notice* ¶¶ 155-156.

<sup>38</sup> In addition to prioritizing network resiliency and consumer information, CCA’s members are keenly aware of the FCC’s increase in outage report-related enforcement actions. *See, e.g., In the Matter of Time Warner Cable Inc.*, Order, 29 FCC Rcd 9992 (EB 2014) (offering a voluntary contribution of \$1,100,000 and adopting substantial compliance plan requirements due to outage violations); *In the Matter of Verizon*, Order, 27 FCC Rcd 2503 (EB 2012) (offering a voluntary contribution of \$90,000 and adopting substantial compliance plan requirements due to Part 4 outage violations); *In the Matter of AT&T*, Order, 26 FCC Rcd 3332 (EB 2011) (offering a voluntary contribution of \$1,800,000 and adopting substantial compliance plan requirements due to Part 4 outage violations); *In the Matter of Windstream Corp.*, Order, 24 FCC Rcd 5458 (EB 2009) (offering a voluntary contribution of \$200,000 and adopting substantial compliance plan requirements due to Part 4 outage violations).

<sup>39</sup> Commissioner Pai Statement at 129.

network outages must be balanced, particularly when regulations likely will result in significant burdens for competitive carriers.<sup>40</sup> If the FCC decides to move forward with the proposed expansion of the outage rules, therefore, it must take additional steps to minimize the burdens imposed on small and competitive providers as a result of increased regulations.<sup>41</sup> One way to achieve this is to exempt small and competitive carriers from any new rules adopted from the *Further Notice*, as WISPA recommends.<sup>42</sup> In the alternative, CCA recommends that the Commission only adopt requirements that “(1) will actually be useful to consumers; (2) do not impose significant burdens on carriers; and (3) do not hamper the efforts of carriers to resolve network issues as quickly as possible during times of emergency.”<sup>43</sup> In doing so, the Commission will prioritize outage reporting requirements that provide relevant information while minimizing burdens on competitive carriers.

#### IV. CONCLUSION.

For the foregoing reasons, CCA recommends the Commission refrain from adopting any additional outage reporting requirements, including BIAS outage and network degradation

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<sup>40</sup> See, e.g., Letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, in PS Docket No. 13-239, PS Docket No. 11-60 (Feb. 26, 2015); Letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, in PS Docket No. 13-239, PS Docket No. 11-60 (Feb. 13, 2015); *CCA-NTCA Joint Comments*; Letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, in PS Docket No. 11-60 (July 19, 2013).

<sup>41</sup> CCA agrees with several of the proposals in the record that offer additional metrics and forms of compliance with any new rules in an effort to alleviate burdens. Commenters support streamlining the reporting requirements into a two-step process by eliminating the requirement for an initial report, adopting reporting timeframes consistent with Interconnected VoIP timeframes and the 900,000/user minutes for 30 minutes reporting threshold consistent with legacy voice services. See, e.g., ACA Comments; AT&T Comments; CTIA Comments; NCTA Comments; T-Mobile Comments; USTelecom Comments; Verizon Comments. These recommendations offer the Commission a number of opportunities to minimize burdens on small and competitive providers.

<sup>42</sup> WISPA Outage Comments at 4.

<sup>43</sup> *CCA-NTCA Joint Comments* at 6-7.

reporting, cybersecurity reports, and Wireless RAN overload reporting. In the alternative, if the FCC adopts any or all of these rules, CCA urges the Commission to reassess significant burdens associated with its proposals and take additional action to limit burdens on competitive carriers as described herein.

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